

1 Frank E. Scherkenbach (SBN 142549)
scherkenbach@fr.com
2 Kurt L. Glitzenstein (*pro hac vice*)
glitzenstein@fr.com
3 FISH & RICHARDSON P.C.
One Marina Park Drive
4 Boston, MA 02210
Telephone: (617) 542-5070
5 Facsimile: (617) 542-8906

6 Attorneys for Defendant
MICROSOFT CORP.

7 *Additional counsel listed on signature page*
8

9 UNITED STATES DISTRICT COURT
10 NORTHERN DISTRICT OF CALIFORNIA
11 (SAN JOSE DIVISION)
12

13 SENTIUS INTERNATIONAL, LLC,
14 Plaintiff,
15 v.
16 MICROSOFT CORPORATION,
17 Defendant.

Case No. 5:13-cv-00825 PSG

**DECLARATION OF JONATHAN J.
LAMBERSON IN SUPPORT OF
DEFENDANT MICROSOFT
CORPORATION'S MOTION FOR
SUMMARY JUDGMENT AND
DAUBERT MOTIONS**

18 AND RELATED COUNTERCLAIMS
19

DATE: January 13, 2015
TIME: 10:00 a.m.
JUDGE: Hon. Paul S. Grewal
20

21 I, Jonathan J. Lamberson, declare as follows:

22 1. I am a principal at the law firm of Fish & Richardson P.C., counsel of record in this
23 action for Defendant Microsoft Corporation ("Microsoft"). I am a member of the Bar of the State
24 of California and of this Court. I have personal knowledge of the matters stated in this declaration
25 and would testify truthfully to them if called upon to do so.

26 2. Attached hereto as Exhibit A is a true and correct copy of excerpts from the
27 September 8, 2014 expert report of Dr. Vijay K. Madisetti. **(FILED UNDER SEAL)**
28

1 3. Attached hereto as Exhibit B is a true and correct copy of Sentius' Second Supplemental
2 Patent Local Rule 3-1 Infringement Contentions.

3 4. Attached hereto as Exhibit C is a true and correct copy of Sentius May 23, 2014
4 Responses to Microsoft's Fourth Set of Interrogatories [Nos. 18-21].

5 5. Attached hereto as Exhibit D is a true and correct copy of excerpts from the May 29,
6 2014 deposition transcript of Marc Bookman. **(FILED UNDER SEAL)**

7 6. Attached hereto as Exhibit E is a true and correct copy of excerpts from the May 30,
8 2014 deposition transcript of Marc Bookman. **(FILED UNDER SEAL)**

9 7. Attached hereto as Exhibit F is a true and correct copy of the June 20, 2014 deposition
10 transcript of Brian Yamanaka.

11 8. Attached hereto as Exhibit G is a true and correct copy of a printout from the website
12 <https://www.linkedin.com/jobs2/view/10229143>, as accessed on October 10, 2014.

13 9. Attached hereto as Exhibit H is a true and correct copy of a Microsoft document entitled
14 "Proofing Tools Integration" (MS_SENTIUS008823-24).

15 10. Attached hereto as Exhibit I is a true and correct copy of excerpts from the
16 November 24, 2014 deposition transcript of Dr. Vijay K. Madiseti.

17 11. Attached hereto as Exhibit J is a true and correct copy of the September 8, 2014 Expert
18 Report of William E. Wecker.

19 12. Attached hereto as Exhibit K is a true and correct copy of excerpts from the November
20 20, 2014 ROUGH deposition transcript of William E. Wecker.

21 13. Attached hereto as Exhibit L is a true and correct copy of an e-mail exchange between
22 myself and attorneys for Sentius occurring between September 10 and September 18, 2014.

23 14. Attached hereto as Exhibit M is a true and correct copy of Sentius' technology tutorial.

24 15. Attached hereto as Exhibit N is a true and correct copy of excerpts from the non-
25 infringement expert report of Dr. Daniel A. Menasce. **(FILED UNDER SEAL)**

26 16. Attached hereto as Exhibit O is a true and correct copy of a website from the Australian
27 National Statistics Service, as accessed on December 2, 2014.

1 17. Attached hereto as Exhibit P is a true and correct copy of excerpts from the Expert
2 Report of Robert Mills. **(FILED UNDER SEAL)**

3 18. Attached hereto as Exhibit Q is a true and correct copy of a webpage entitled “Sawtooth
4 Software – What is Conjoint Analysis?” as accessed on December 2, 2014.

5 19. Attached hereto as Exhibit R is a true and correct copy of a paper entitled “Is It Worth
6 Anything? Using Surveys in Intellectual Property Cases.”

7 20. Attached hereto as Exhibit S is a true and correct copy of a page from the American Bar
8 Association website entitled “Consumer Surveys and Other Market-Based Methodologies in Patent
9 Damages,” as accessed on December 2, 2014.

10 21. Attached hereto as Exhibit T is a true and correct copy of excerpts from a book entitled
11 “Marketing Research Tools & Techniques” by Nigel Bradley.

12 22. Attached hereto as Exhibit U is a true and correct copy of excerpts from a book entitled
13 “Good Small Business Guide 2013.”

14 23. Attached hereto as Exhibit V is a true and correct copy of a paper by the Scottish
15 Government Social Research Group entitled “Guide 2: Omnibus Surveys.”

16 24. Attached hereto as Exhibit W is a true and correct copy of the October 8, 2014 expert
17 report of Charles L. Colby.

18 25. Attached hereto as Exhibit X is a true and correct copy of a webpage from
19 <http://www.consumerpsychologist.com> entitled “Consumer Research Methods,” as accessed on
20 December 2, 2014.

21 26. Attached hereto as Exhibit Y is a true and correct copy of a paper entitled “AAPOR
22 Report on Online Panels.”

23 27. Attached hereto as Exhibit Z is a true and correct copy of a webpage entitled “Data Use:
24 An evaluation of quality-control questions” as accessed on December 2, 2014.

25 28. Attached hereto as Exhibit AA is a true and correct copy of a webpage entitled “The
26 Honesty of Online Survey Respondents: Lessons Learned and Prescriptive Remedies,” as accessed
27 on October 15, 2014.
28

29. Attached hereto as Exhibit AB is a true and correct copy of a paper entitled “Revisiting the Data and Estimation in List and Gallet (2000).”

30. Attached hereto as Exhibit AC is a true and correct copy of a paper entitled “What Experimental Protocol Influence Disparities Between Actual and Hypothetical Stated Values?”

31. Attached hereto as Exhibit AD is a true and correct copy of a paper entitled “A Meta-Analysis of Hypothetical Bias in Stated Preference Valuation.”

32. Attached hereto as Exhibit AE is a true and correct copy of a confidential settlement agreement between Microsoft Corporation and Arendi S.A.R.L. **(FILED UNDER SEAL)**

33. Attached hereto as Exhibit AF is a true and correct copy of excerpts from the November 18, 2014 ROUGH deposition transcript of Robert Mills. **(FILED UNDER SEAL)**

34. Attached hereto as Exhibit AG is a true and correct copy of excerpts from a book entitled “Royalty Rates for Licensing Intellectual Property” by Russell Parr.

35. Attached hereto as Exhibit AH is a true and correct copy of the 2011 Annual Review for Alcatel-Lucent.

36. Attached hereto as Exhibit AI is a true and correct copy of a document entitled “Office 14 SKU Purchase Intent Survey.” **(FILED UNDER SEAL)**

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct. Executed at Redwood City, California this 2nd day of December, 2014.

s/ Jonathan J. Lamberson
Jonathan J. Lamberson

Additional Counsel

Jonathan J. Lamberson (SBN 239107) / lamberson@fr.com
FISH & RICHARDSON P.C.
500 Arguello Street, Suite 500
Redwood City, CA 94063
Telephone: (650) 839-5070
Facsimile: (650) 839-5071

Isabella Fu (SBN 154677) / isabella.fu@microsoft.com
MICROSOFT CORPORATION
One Microsoft Way
Redmond, WA 98052
Telephone: (425) 882-8080
Facsimile: (425) 936-7329

Attorneys for Defendant
MICROSOFT CORP.

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